

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LATASHA STEVENS,
Plaintiff,

CIVIL ACTION

v.

NO. 17-4853

**CITY OF PHILADELPHIA, doing business
as “PHILADELPHIA POLICE
DEPARTMENT,”
INSPECTOR ALTOVISE LOVE-
CRAIGHEAD, in her Individual and
Official Capacity as an officer for the
Philadelphia Police Department,
LIEUTENANT KENORA SCOTT, in her
Individual and Official Capacity as an
Officer for the Philadelphia Police
Department,
CAPTAIN JARREAU THOMAS, in his
Individual and Official Capacity as an
officer for the Philadelphia Police
Department, and
JOHN DOES 1-10,
Defendants.**

ORDER

AND NOW, this 3rd day of July, 2018, Defendants City of Philadelphia d/b/a Philadelphia Police Department, Inspector Altovise Love-Craighead, Lieutenant Kenora Scott, and Captain Jarreau Thomas’s Motion to Dismiss for Failure to State a Claim (Document No. 14, filed February 13, 2018) and Plaintiff, Latasha Stevens’ Response in Opposition to Defendants’ Motion to Dismiss (Document No. 17, filed March 13, 2018), for the reasons set forth in the accompanying Memorandum dated July 3, 2018, **IT IS ORDERED** that Defendant’s Motion to Dismiss is **GRANTED IN PART** and **DENIED IN PART**, as follows:

1. That part of Defendants’ Motion to Dismiss seeking dismissal of plaintiff’s claims under 42 U.S.C. §§ 2000(e), *et seq.* (“Title VII”), the Pennsylvania Human Relations Act, 43

Pa. Stat. § 951, *et seq.* (“PHRA”), and the Philadelphia Fair Practices Ordinance, Phila.

Code § 9-1100, *et seq.* (“PFPO”) for retaliating against her by writing a negative

performance review is **DENIED WITHOUT PREJUDICE** to defendants’ right to raise

that issue after completion of discovery by motion for summary judgment and/or at trial;

2. That part of Defendants’ Motion to Dismiss seeking dismissal of the remainder of plaintiff’s retaliation claims under Title VII, PHRA, and PFPO is **GRANTED WITH PREJUDICE**.

3. That part of Defendants’ Motion to Dismiss seeking dismissal of plaintiff’s retaliation claim under 42 U.S.C. § 1983 is **GRANTED WITH PREJUDICE** on the ground that retaliation claims are not actionable under § 1983.

IT IS FURTHER ORDERED that a Preliminary Pretrial Conference will be scheduled in due course. Discovery may proceed in the interim.

BY THE COURT:

/s/ Hon. Jan E. DuBois

DuBOIS, JAN E., J.